

Todd M. Schneider (SBN 158253)
Jason H. Kim (SBN 220279)
Kyle G. Bates (SBN 299114)
James A. Bloom (SBN 311051)
SCHNEIDER WALLACE COTTRELL
KONECKY WOTKYNS LLP
2000 Powell Street, Suite 1400
Emeryville, California 94608
Tel: (415) 421-7100
Fax: (415) 421-7105
tschneider@schneiderwallace.com
jkim@schneiderwallace.com
kbates@schneiderwallace.com
jbloom@schneiderwallace.com

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

DENNIS M. LORENZ, On Behalf of the
Safeway 401(k) Plan,

Plaintiff,

vs.

SAFEWAY, INC et al.,

Defendants.

Case No.: 3:16-cv-04903-JST

**DECLARATION OF JAMES A. BLOOM IN
SUPPORT OF PLAINTIFF'S MOTION IN
LIMINE TO EXCLUDE OPINION AND
TESTIMONY OF STEVEN K. GISSINER
AS EXPERT WITNESS FOR
DEFENDANTS**

Trial Date: May 6, 2019
Judge: Hon. Jon S. Tigar

Third Am. Compl. Filed: Mar. 31, 2017

DECLARATION OF JAMES A. BLOOM

I, James A. Bloom, declare as follows:

1. I am an attorney admitted to practice before this Court and an associate at the law firm Schneider Wallace Cottrell Konecky Wotkyns LLP, counsel for Plaintiff Dennis Lorenz in this action. I submit this declaration in support of Plaintiffs' Motion in Limine. If called upon to testify to the following facts, I could and would do so.

2. Attached as Exhibit A is a true and correct copy of the Expert Report of Steven K. Gissiner (May 22, 2018).

3. Attached as Exhibit B is a true and correct copy of the excerpts of the Deposition of Steven K. Gissiner (June 14, 2018).

4. Attached as Exhibit C is a true and correct copy of the Bloom Email (June 4, 2018).

5. Attached as Exhibit D is a true and correct copy of the Comparator Plan 13 (June 30, 2011).

6. Attached as Exhibit E is a true and correct copy of the Comparator Plan 1 (2014).

7. Attached as Exhibit F is a true and correct copy of the Comparator Plan 12 (December 31, 2015).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed this 5th day of April, 2019, in Emeryville, California

By: /s/ James A. Bloom
James A. Bloom